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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
LY, NGHI H	

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/885,289	WATERS ET AL.	
	Examiner	Art Unit	
	Nghi H. Ly	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31,33-36 and 38-72* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31,33-36 and 38-72* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

2. Applicant's arguments with respect to claims 1-31, 33-36 and 38-72 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-31, 33-36, and 38-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Przygoda, Jr. et al (US 6,373,389) in view of Cannon et al (US 6,462,660).

Regarding claims 1, 21, 31, 33, 44, 52 and 53, Przygoda teaches a method of locating a missing item (see Abstract), capable of communicating its presence to a telecommunications device (see fig.5, wireless connection between devices and column 17, lines 41-53 see "zone"), comprising:

(i) having a plurality of telecommunications devices establish which other piconet telecommunications devices are members of a network to which they belong at a particular point in time (also see fig.5, wireless connection between devices and column 17, lines 41-53 see "zone"),

(ii) having the communications devices create an activity log correlating at least time and the identity of which communications devices were in communication at that point in time (column 8, lines 51 to column 9, line 9, see "history logs"),

(iii) establishing whether the missing item is present in the current piconet of a said telecommunications device and/or reviewing the activity logs to establish whether a record exists of a historic network to which both the missing item and a contactable other communications device belonged at the time that the historic piconet existed

(column 8, lines 51 to column 9, line 9, see "the last time the location of the item was identified by system 20").

Przygoda does not specifically disclose a piconet and a piconet telecommunications devices.

Cannon teaches a piconet and a piconet telecommunications devices (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 2, Przygoda teaches the step of contacting said other device and establishing whether the missing item is part of the network that now includes other device (see fig.5, wireless connection between devices).

Przygoda does not specifically disclose a piconet and a piconet telecommunications devices.

Cannon teaches a piconet and a piconet telecommunications devices (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claims 3, 4, 54 and 60, Przygoda teaches each device creates its own activity log and stores it in itself, in its own memory (see column 6, lines 1-12 and see column 12, lines 54-62).

Przygoda does not specifically disclose a piconet and a piconet telecommunications devices.

Cannon teaches a piconet and a piconet telecommunications devices (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 5, claim 5 is rejected with a similar reason as set forth in claim 1 above.

Regarding claims 6 and 9, Przygoda teaches a method of locating a missing item (see Abstract). Przygoda does not specifically disclose the method having and said other piconet device be capable of long range telecommunication and having the search-requesting device contact said other device using its long range telecommunications capabilities.

Cannon teaches the method having and said other piconet device be capable of long range telecommunication and having the search-requesting device contact said other device using its long range telecommunications capabilities (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 7, claim 7 is rejected with a similar reason as set forth in claim 1 above.

Regarding claim 8, Przygoda teaches having a cut off point beyond which the search does not backtrack for contacts (see fig.6, step "finish").

Regarding claims 10 and 11, Przygoda teaches sequentially asking those other devices that are identified from the activity log for information on whether the missing item is in their current piconet (see column 6, lines 13-31 and see column 7, lines 35-47).

Przygoda does not specifically disclose a piconet and a piconet telecommunications devices.

Cannon teaches a piconet and a piconet telecommunications devices (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claims 12, 34, 35, 46 and 56, Przygoda teaches having the piconet devices record their geographical, or physical, location at the time that a piconet exists (see column 21, lines 58-67, column 22, lines 9-18 and see column 22, lines 35-46).

Przygoda does not specifically disclose a piconet and a piconet telecommunications devices.

Cannon teaches a piconet and a piconet telecommunications devices (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 13, Przygoda teaches making network connection between a first device which has no inherent self-location abilities and another, second, device which does know its own location, and having the first device assume itself to be at the same, known, location as the second device (see fig.5, wireless connection between devices).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 14, Przygoda teaches the creation of the activity logs of the devices occurs automatically without human intervention when the devices form a network (column 8, lines 51 to column 9, line 9, see "history logs").

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 15, Przygoda teaches a method of locating a missing item (see Abstract), the item being capable of communicating its presence to a telecommunications device (see fig.5, wireless connection between devices and column 17, lines 41-53 see "zone"), comprising:

(i) forming a short range network with a plurality of communications devices (also see fig.5, wireless connection between devices and column 17, lines 41-53 see "zone"),

(ii) having the communications devices establish which other communications devices are members of the network to which they belong at a particular point in time (also see fig.5, wireless connection between devices and column 17, lines 41-53 see "zone") and having the communications devices create an activity log correlating at least time and the identity of which communications devices were in communication at that point in time (column 8, lines 51 to column 9, line 9, see "history logs"),

(iii) establishing whether the missing item is present in the current network of a said communications device and/or reviewing the activity log to establish whether a record exists of a historic network to which both the missing item and a contactable other communications device belonged at the time that the historic network existed (column 8, lines 51 to column 9, line 9, see "the last time the location of the item was identified by system 20"), and

(iv) establishing whether there is a known location for the historic network which most recently had as a member the missing item (column 8, lines 51 to column 9, line 9, see "the last time the location of the item was identified by system 20" and see column 1, lines 49-65 and column 3, lines 48-57).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claims 16-19, Przygoda teaches communicating the last known location of the missing item to the user of the method to enable them to consider whether to investigate that known location to see if the missing item can be found (see column 8, lines 54-63).

Regarding claims 20, 23, 29, 30, 51, 55, 61 and 62, Przygoda teaches a telecommunications device having a piconet receiver capable of receiving information about members of a network to which the device temporarily belongs and a controller (see Przygoda, fig.5, wireless connection between devices and column 17, lines 41-53 see "zone"), wherein the controller is arranged in use to capture a network activity log when the device comes within network range of other network devices and to build up a

log of which other devices were piconet members with the device and at what time that network existed (Przygoda, column 8, lines 51 to column 9, line 9, see "history logs").

Przygoda does not specifically disclose dual mode devices having both piconet capabilities and having long range telecommunication abilities, and to establish their long range telecommunication addresses of any such dual mode devices, and to receive a request to search for a missing item of known identity and upon such request is adapted to screen the activity log to identify historic piconet which contained the missing item and a dual mode device, and wherein the controller upon identifying such a dual mode device to contact it via long range telecommunications and to establish whether the missing item is in the current piconet of the dual mode device.

Cannon teaches dual mode devices having both piconet capabilities and having long range telecommunication abilities, and to establish their long range telecommunication addresses of any such dual mode devices (see Abstract, Title and column 2, lines 10-45, see "*pico-net*"), and to receive a request to search for a missing item of known identity and upon such request is adapted to screen the activity log to identify historic piconet which contained the missing item and a dual mode device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*"), and wherein the controller upon identifying such a dual mode device to contact it via long range telecommunications and to establish whether the missing item is in the current piconet of the dual mode device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 22, Przygoda teaches a device has memory and in which the controller is adapted to store the device's activity log in the memory of the device (see column 6, lines 1-12 and see column 8, lines 51 to column 9, line 9, see "history logs").

Regarding claim 24, Przygoda teaches the controller has the capability of recording in the activity log the geographical location of the device and associating the position of the device at a point in time with the network members at that point in time (see Przygoda, column 6, lines 1-12).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 25, Przygoda teaches a device has a location identifier (see column 21, lines 50-58).

Regarding claim 26, Przygoda teaches a device has a clock and is adapted to time-stamp piconet membership data at a particular point in time using its clock (see Przygoda, column 6, lines 8-12), or which is adapted to import the time from an external

source and adapted to time stamp the details of which devices were members of the piconet at a certain time (see Przygoda, column 7, lines 36-47).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 27, Przygoda teaches a device is a portable mobile electronic device (see fig.5, devices in fig.5 are portable mobile electronic device).

Regarding claim 28, Przygoda teaches the controller is adapted to establish the telecommunications address of piconet members and store them so as to be able to retrieve them in order to contact them at some time in the future (see column 6, lines 1-12).

Regarding claim 36, Przygoda teaches the device has a location sensor adapted to provide details of the location of the device (see column 7, lines 14-22).

Regarding claims 38 and 59, Przygoda teaches a portable mobile electronic device (see fig.5, device in fig.5 a portable mobile electronic device).

Regarding claims 39-41, Przygoda teaches the controller having details of an associated item set associating a set of known items in a notional group, and the controller being adapted to monitor the network to which the device belongs and being

adapted to generate an alarm when an item from said associated item set leaves the network (see Przygoda, column 6, lines 22-26).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 42, Przygoda teaches a device according having a user-operable alarm cancellation input adapted to enable a user to stop an alarm (see column 6, lines 22-26, Przygoda inherently teaches user-operable alarm cancellation input adapted to enable a user to stop an alarm).

Regarding claim 43, Przygoda teaches the controller is adapted to generate a report analysing the network activity log and/or export the network activity log to another electronic device (Przygoda, column 8, lines 51 to column 9, line 9, see "history logs").

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 45, Przygoda teaches associating in the network activity log a time for membership of the network for network-capable articels (column 8, lines 51 to column 9, line 9, see "history logs").

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claims 47, 63-65 and 68-70, Przygoda teaches an associated set of network member articles whose presence in the network is tracked, and generating an alarm when an article of the associated set of network member articles leaves the network (see column 6, lines 22-26 and see column 19, lines 25-29).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claims 48 and 49, Przygoda teaches generating a report analysing the contents of the network activity log (see column 6, lines 1-12 and see column 8, lines 51 to column 9, line 9, see "history logs").

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 50, Przygoda teaches generating at least one of the following reports: (i) members of network at a particular time, (ii) history of network membership for a selected network member device, (iii) correlation of network membership for selected first and second network member devices, (iv) selected network device at selected physical location(s), (v) network member devices that have been at selected physical location(s) (see column 6, lines 1-12).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claim 57, Przygoda teaches a device has a location identifier (see column 21, lines 50-58).

Regarding claim 58, Przygoda teaches a device has a clock and is adapted to time-stamp network membership data at a particular point in time using its clock (see column 6, lines 8-12), or which is adapted to import the time from an external source and adapted to time stamp the details of which devices were members of the piconet at a certain time (see column 7, lines 36-47).

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Regarding claims 66 and 71, Przygoda teaches a user-operable alarm cancellation input adapted to enable a user to stop an alarm (see column 6, lines 22-26,

Przygoda inherently teaches user-operable alarm cancellation input adapted to enable a user to stop an alarm).

Regarding claims 67 and 72, Przygoda teaches the controller is adapted to generate a report analysing the network activity log and/or export the network activity log to another electronic device (column 8, lines 51 to column 9, line 9, see "history logs").

Przygoda does not specifically disclose a piconet and a piconet telecommunications device.

Cannon teaches a piconet and a piconet telecommunications device (see Abstract, Title and column 2, lines 10-45, see "*pico-net*").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Cannon into the system of Przygoda in order to provide an automatic reminder in a pico-net.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nghi H. Ly